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Seven Years Later

An essay on an extraordinary event with lasting implications

by Michael W. Harkins

Seven years ago, on August 12th, I arrived at attorney Richard Ruggieri's law office early enough so that after I finished rearranging some furniture to create some extra room I'd have a few minutes alone to contemplate what had happened over the previous months and to prepare for the results of events occurring across the country in Florida.

Seventeen year-old Brandon Maxfield would arrive at the office within the hour with his mother, Sue, and his grandmother. The office had two rooms, a total of just over five-hundred square feet. The office door opened from the hall into the first room, slightly smaller than the other and occupied by a massive file cabinet against one wall, storage boxes stacked five high along the length of the other wall, all filled with thousands of documents relating to Brandon. The other room contained Ruggieri's desk, credenza, and a bookcase. Brandon's wheelchair would be in a near reclining position, so it would be tight even before the reporters from Associated Press, CNN, a local NBC affiliate, and the camera operators showed up to get Brandon's reaction and statement.

We would all be waiting for Ruggieri's call from Florida, telling us either that Brandon's Arms, a nonprofit created by Maxfield and Ruggieri, was the new owner of a bankrupt gun company's assets, including its more than twenty-thousand assembled handguns, gun parts, and manufacturing equipment, or that the auction had been lost to the only other bidder, the bankrupt company's plant foreman.

It had been an audacious, near-genius

idea, that Brandon's nonprofit attempt to buy the manufacturer of the gun that nearly killed him when he was seven years-old. It was an effective counter punch to a legal low blow from the gun manufacturer, a strategy that might successfully

trump the manufacturer's flight from a \$24 million dollar responsibility.

I had picked up on and followed the story since Ruggieri's closing argument a year and a half before the auction and I continue to follow it today. Its relevance to the country's continuing pro-gun/anti-gun discord is far from diminished.

In 1994, a friend of Brandon's family was holding a Bryco semi-automatic handgun when it fired. The bullet went through Brandon's jaw and damaged his spinal cord at the second and third vertebra as it exited out the back of his neck. Six years later Brandon's step-father retained Ruggieri, a sole practitioner in Marin County, California, to take care of a legal issue and mentioned that his son had been paralyzed in an accidental shooting. Ruggieri took one year to research and investigate the incident, agreed to represent Brandon, and began the process of bringing a design defect lawsuit against Bryco Arms and its owner, Bruce Jennings.

Nine years after the accident and at the end of a three month trial a jury unanimously awarded Brandon \$51 million, \$24 million of it against Jennings and his companies.

The day after that verdict, Jennings and his California companies declared bankruptcy in Florida, where he had moved during the lawsuit.

In this essay about one of the more volatile aspects of our society, writer Mike Harkins recounts events leading to the day seven years ago when a paraplegic teenager from Northern California, with the assistance of his attorney and thousands of people around the country, attempted to purchase the assets of a gun manufacturer that had gone into bankruptcy to avoid paying the teen a record \$24 million judgment.

Factual information presented in this essay comes from trial evidence, court and deposition transcripts, police interviews and investigation reports, media reports, and interviews with the event's principals.



Brandon Maxfield and the gun that changed his life, pictured on the first page of The New York Times National Report section, June 30, 2004.

Florida at that time provided a sort of safe haven for bankruptcy filers.

In 2004 Jennings petitioned the bankruptcy court to allow a longtime Bryco employee to purchase the company's assets for \$150,000.

Ruggieri immediately protested, asserting that the petition was a ploy to allow Jennings to continue the gun making business and actively control the new company through the owner, a strategy known as using a strawman.

The bankruptcy court provided thirty days to accept and consider protests of the sale, which came not just from Ruggieri but from the California attorney general and several other attorneys who had actions pending against Bryco. He began to develop an idea that if successful would prevent the former employee, and ultimately Jennings, from continuing to sell Bryco-designed guns. If he couldn't actually stop the assets from being sold, he believed the court should at least make the auction accessible to others, especially anyone not directly associated with Jennings.

Over the course of several conversations with Brandon, Brandon's mother, and other close associates, Ruggieri realized that if Brandon was given the opportunity, there was nothing that legally prevented him from making his own offer for the assets. Brandon didn't have any financial resources. He would have to find substantial funding or raise the money.

When the court announced at the end of the thirty-day period that instead of a closed sale there would be an auction open to anyone with a minimum bid of \$150,000, the Brandon's Arms nonprofit had been already been formed; a fund-raising website set up; and a public relations firm retained. The mandate was clear, simple, and unapologetic: prevent any defective and dangerous Bryco handguns from being distributed or manufactured, in any form, by purchasing the company and all of its assets, then destroying its inventory of guns and gun parts. If the effort was successful, the inventory would be recycled, the machinery would be auctioned separately, and the nonprofit would then focus on gun safety education and awareness efforts.

The cause-based public relations firm quickly thrust the campaign into the media spotlight and the story generated national, then international interest. In the weeks leading up to the auction date over two-hundred newspaper stories appeared in nine countries. There was a full-page story in People magazine and features on England's BBC and Japan's NHK. ABC's Good Morning America, CBS, NBC, and CNN gave the story major exposure on their national newscasts. But the story that broke everything wide open was an above-the-fold article on the first page of The New York Times National News section.

As awareness of the story grew, the Brandon's Arms

website received thousands of hits and emails from people of every age, who also donated to the auction effort. There were also hateful, sometimes vile messages excoriating Ruggieri and Maxfield for their efforts, and scores of messages espousing the "guns don't hurt people, people hurt people" style of slogan-oriented rhetoric. The majority of those messages took Ruggieri and Brandon to task not just for suing what was assumed to be a deep-pockets company, but for suing even when it was obvious, according to the emails, that Brandon's paralysis, while tragic, had solely been the result of poor gun handling procedures and bad judgment.

There had been, in fact, degrees of poor judgment and the breaking of well-known gun safety steps in the accident's chain of events. The jury reacted to this aspect of the accident by assigning almost half of the \$51 million verdict to the family friend who was holding the gun when it fired, Brandon's parents, and the pawn shop where the gun had been purchased (new, not previously owned).

But the jury assigned the remainder, slightly over twenty-four million dollars, to Bryco, Bruce Jennings, and B.L. Jennings, due to overwhelming evidence that Jennings, Bryco, and B.L. Jennings Inc. had created, manufactured, and distributed a gun that had a dangerous design flaw, that it had discovered the flaw, and had then altered the design of the gun not to correct the flaw, but to hide it. Even as the jury realized the significance of that flaw and of Bryco's actions as major factors in Brandon's accident, it was unaware that Bryco gun incidents had caused injuries to others using the same model of Bryco and to innocent bystanders.

While the media had become a great promoter of the Brandon's Arm's campaign, it was also in part responsible for an expanding misunderstanding among the general public as to why Ruggieri had triumphed where other gun-related lawsuits had failed. There is only so much time, so many column inches, so much detail that even the most respected journalistic institutions can provide to tell a story, and, when the story does convey the most accurate, contextual information possible, nothing can force a reader or viewer to absorb more than what the reader or viewer desires to understand.

This was the situation with Brandon's case, in which one aspect of the incident had rooted itself in the consciousness of those who knew the story: because the gun's safety had to be moved to the 'off' position, the gun was allowed to fire when the family friend inadvertently pulled the trigger as he checked the gun to ensure that it wasn't loaded. He had attempted to do the right thing, but he had done it the wrong way, and Bryco's design change made that a problem.

This aspect of the accident, while factual in part, sent

gun proponents into a tizzy.

Many gun proponents when presented with a discussion or question relative to pro-gun control legislation or a gun-related lawsuit take an immediate but not relevant position: gun rights. In the CBS News story about Brandon, gun maker Jennings declined to be interviewed, so a segment of a previous interview with Jennings was used, and in it he spoke of every citizen's right to own or possess a gun (no date, source, or context was given as to the interview segment). This platform upon which many gun advocates immediately stand, the Second Amendment "right to bear arms", also often includes: that most gun accidents are caused by carelessness; and that every responsible gun owner follows the safe gun handling 'commandments' whenever unloading, loading or checking a gun.

The admonitions and insights into proper gun handling techniques have merit, and at first review of Brandon's accident, it is apparent that gun handling mistakes were made:

- The gun was kept in its original box, in a drawer of the parents' dresser, not in a lockable container and stored where it couldn't be easily accessed;

- Checking to be sure that the gun was unloaded, the family friend did so within a few feet of Brandon, Brandon's younger brother, and another young relative of Brandon's family (a young boy who actually had taken the gun from the drawer when he was frightened by threats from a neighbor);

- The family friend did not ensure that the gun was pointed away from the boys as he checked it.

- And he had allowed his finger to be on the trigger.

And so it would appear to those who understand and practice safe gun handling techniques, that this was a tragedy that could have been prevented.

These elements were presented at the trial.

A critical element, however, and the moment that took root among gun-aware followers of the story and the general public, was the issue of gun's safety mechanism. What follows is a brief chronological description of the events leading to the accidental shooting, and why the gun's safety mechanism became such a critical issue.

Brandon's family lived in a small house, on several acres in a remote rural setting. Their house, however, was within proximity, and slightly below, a neighbor's house.

It was mid-morning. Brandon's father was at work. Sue, Brandon's mother, unexpectedly had to run an errand and asked a twenty year-old family friend, who was helping clear brush around the property, to watch seven year-old Brandon, Brandon's five year-old brother, and a twelve year-old relative, until she returned. She expected to be gone no more than an hour.

As the boys played outside they heard a woman screaming from the neighbor's house, and the family friend called out asking if someone was hurt. A man's voice responded with "mind your own business" and said several things the boys described as threats.

The family friend called the sheriff, two units responded, went to the neighbor's house, and left a short time later. Shortly after, the same man's voice yelled down to the boys, threatening them again. The twelve year-old knew where Brandon's father kept the gun, not because he had been told, but because sometime over the course of his visits to the house he had seen it put there. Frightened, he ran inside, took the small box from the dresser drawer, brought it into the living room, sat on the couch and removed the lid from the box.

The box contained the small, chrome Bryco and a black ammunition magazine that, as with every model of semi-automatic handgun, is inserted into the bottom of the handgun's grip and feeds cartridges into the gun's chamber. He removed the gun from the box. The family friend, Brandon, and Brandon's little brother had now also come into the house. Brandon's brother sat on the couch, Brandon stood next to the twelve year-old, and the family friend stood facing them.

As described in recorded police interviews, the family friend feared for the boys' safety because of the gun and he took it out of the twelve year-old's hand. The twelve year-old then picked up the black ammunition magazine from box and began to push the cartridges out of it, emptying the magazine onto a table in front of the couch.

The friend looked at the magazine held by the twelve year-old and assumed that the gun was unloaded but, although not formally trained in handgun safety, knew that he should look into the gun's chamber to make sure it was empty, and knew that to do that he had to pull back the slide, the top piece on a semi-automatic that moves back to eject a cartridge and places a new round in the chamber as the slide moves forward. If a round is in the chamber when the slide is pulled back, it will be ejected, and if there is no magazine or an empty magazine in the gun, this will ensure to the user that the gun is empty.

The slide could not be pulled back with the gun's safety in the safe/non-firing position. He moved the safety to the fire position and pulled back on the slide. It slipped forward out of his grasp before he had moved it all the way back, and as it did the gun fired, a single bullet striking Brandon.

When purchased new, the Bryco came with two magazines. Unknown to the family friend, the second magazine, loaded, was in the Bryco.

In recorded interviews, the friend insists his finger had not been on the trigger, that the gun had just gone off.

Eventually, after several minutes and after being guided back by a detective to talking about how the accident happened, the detective suggests that it seems certain that the young man's finger was resting on the trigger and must have inadvertently pulled the trigger when the slide unexpectedly moved forward. The detective gently asks, "Don't you think that you may have had your finger on the trigger?" to which the family friend replies, "Yeah, I guess I might have."

The above description of the accident's elements describes in only the most cursory way a litany of tragic missteps derived from incidents and relevant facts covering a ten year period. It only hints at the tens-of-thousands of words needed to describe the background, history, and workings of Bruce Jennings and the Bryco Arms gun company. It doesn't convey how all the relevant, critical, and hidden information, one year of investigation, another year of preparation and pre-trial motions, discovery, and depositions were all brought together and presented succinctly to a jury during a three-month trial.

It is no surprise then, really, that even the most detailed descriptions of the accident in any of the media or journalistic forums couldn't adequately convey the critical, defective design elements of the Bryco gun and how they rose to such a significant level of wanton disregard for the lives of anyone who held, fired, or were in the vicinity of the gun.

There are other models of handguns that either don't have a safety, or have a safety that doesn't allow for it to be in the safe position during loading or unloading, the most dangerous phase of gun use. Such guns are designed this way, although most guns from reputable, reliable, long-standing gun manufacturers provide for their guns to be checked with the safety in the safe position. This is also one of the first instructions given in gun safety classes, to put a gun's safety in the correct position when handling a gun.

During depositions and investigation of Bryco, Ruggieri discovered that there had been a previous incarnation of the Bryco model that injured Brandon. Tens-of-thousands had been sold, with an instruction sheet that included a definitive, emphasized instruction to always place the gun's safety in the 'safe' position before loading and unloading the gun.

Then, Ruggieri discovered, there had been a change.

It came to Bryco's attention that the Jennings'-designed Bryco had a feed flaw: if the gun's safety was on when the slide was pulled back, as required to either feed a round into the chamber or to eject and visually confirm that there was no round in the chamber, the gun would jam.

During the trial years later Ruggieri would introduce testimony from a gun expert that a small change to the

design would have cost no more than a few manufacturing cents per gun to fix the flaw. Bryco did not employ an in-house engineer, nor did it consult any engineers, to review or advise on its gun designs. Jennings was the designer of the Bryco, and he was not an engineer.

Bryco's approach was not to fix the flaw but to hide it. The company started manufacturing the handgun again, but with two significant changes:

- to avoid having a user experience the jamming situation, the safety mechanism was changed so that the user could not pull the slide back to eject or look inside the chamber if the safety was on (this was the reason the family friend had to take the gun out of safety mode to check it), and;

- the written instruction to always place the gun in safety mode when loading or unloading was deleted.

Hundreds-of-thousands of these Brycos were sold.

During the trial Ruggieri used simple but effective analogies to other consumer product designs to underscore Bryco's blatant disregard for its customers' safety: "...you wouldn't want to buy a car that required you to unbuckle your seat belt before you could drive the car..." Bryco's business decision to place its product's users in a dangerous situation rather than fix a defective design was at the top of a long list of bad business practices that Jennings had employed throughout the course of Bryco's history.

Included in those decisions was one of great irony, both for its timing and effect on everyone involved in the eventual lawsuit. In the early 1980s, manufacturers of small, inexpensive handguns became the target for social scorn and litigation. Insurers began to raise liability insurance premiums significantly. During a renewal period, Jennings decided to not renew his company's liability insurance. In a Business Week magazine interview for an article on the subject of guns and lawsuits, Jennings alluded to not being worried about potential litigation, stating that if it happened to his company he would just file bankruptcy and start a new company.

When the anti-gun groups started litigation against gun companies, their actions fueled a rise in insurance rates and caused some companies, like Bryco, to decide to go bare – which left their victims unprotected. (The gun groups' litigation received a lot of press and court time but never made any significant impact.)

One of the documents Ruggieri obtained but which was not introduced at trial was a copy of a fax from Bryco's insurance agent, listing what the premiums would be for the coming year. The agent had written a note on the fax stating that Bryco had declined to renew.

The date of the fax was four days before Brandon was shot.

These were the elements lost on much of the general public and on most of the gun rights reactionaries. What seemed to have been ignored or simply not thought about by so many of the those disparaging Brandon for suing Bryco was the responsibility, by law, of every manufacturer to make a product that is as safe for use as is reasonable.

Many drivers fifty years and older can remember manual shift cars that could be inadvertently started in gear; the auto would lurch forward, perhaps a foot or two, or more, before the car stalled or the ignition could be turned off. Now, cars or trucks with manual transmissions can't be started unless the clutch is engaged. Some cars with button or push-key ignition systems, with the transmission in park, require a foot on the brake before the ignition system actually turns on the engine.

Products that have any kind of potential for misuse or possible injury – microwave ovens, coffee grinders, lawn mowers, automobiles, the list is long and familiar – must be manufactured with significant safety measures built in. The end users, 'us', are only human; minds wander, we get distracted, we're forgetful. It is not by accident that, as the trial testimony emphasized, the "ten commandments" of gun safety are a list of the most common mistakes made by gun users. Responsible manufacturers not only recognize this, they know that if a product can be dangerous to a user, it can be dangerous to someone in its vicinity. Responsible manufacturers shoulder the responsibility for keeping their customers reasonably safe.

Ruggieri succeeded in part, as described by one of his peers, because he's a great lawyer and because he showed that a manufacturer of one of the world's most dangerous kind of products had willfully and continually disregarded the safety not just of the product's users, but of society in general.

Brandon's Arms lost the Florida auction.

A hoped-for 'Hollywood' kind of ending was not to be, and even though it was only one small event, albeit high profile, near the beginning of seven more years of bankruptcy proceedings (they continue in some form to this moment), that night's news reports conveyed sad news about the young man from Northern California and his failed bid to buy the gun company.

I had listened as Ruggieri delivered the disappointing news to Brandon and Sue, and listened to Brandon and his mother tell the reporters that the fight wasn't over and vow to carry on what was still a noble, important quest.

And with that the media castle doors all but closed on what had been an inspirational story about an attempt to do something significant for society.

And once again, the media focus on the event's most visible aspect, the lost auction, would overshadow another

remarkable element of the story.

As the auction date had loomed ever closer, Ruggieri could see that while thousands of people had donated what they could to the cause, the funds wouldn't be near enough to have an impact at the auction. He believed that at this stage Jennings, through the employee as bidder, would bring everything he had to the auction, and he had plenty. Besides his own wealth, the Jennings family had amassed substantial financial assets over the last thirty years through sales of millions of cheap handguns, beginning in the '70s when his father, George H. Jennings, had created one of the gun companies in what became known as the Southern California "Ring of Fire". Those companies had created and sold a range of handguns including what became known as Saturday night specials - inexpensive, small, easily concealable handguns that found favor with criminals.

(Bruce Jennings and Bryco eventually had their own claim to shame with three different Saturday night special style Bryco handguns that were included on the ATF-compiled list of ten guns most frequently recovered in youth crime.)

With barely a week to go before the auction, Ruggieri received a phone call from "Dan," a wealthy entrepreneur offering to help the Brandon's Arms fund raising effort, who provided enough information for Ruggieri to do a quick, cursory check on the mystery man's background. He was indeed a legitimate businessman who had recently sold one of his companies, but between the diminishing time until the auction and the work still left to do, Ruggieri thanked Dan for any support he was willing to offer and got back to work.

Less than two days later Dan called back with arrangements for Ruggieri to fly with him to Florida on a private jet, and explained that he would attend the auction with Ruggieri and offer financial assistance during the bidding.

The auction began with Ruggieri and Dan on one side of the room representing Brandon's Arms, the Bryco employee on the other, with Jennings seated behind him. The bidding opened at \$150,000 and rose in \$5,000 increments. It soon reached \$300,000, then \$400,000. As Ruggieri had assumed, Bryco's former employee seemed able to bid whatever was necessary to buy the assets.

As the bids increased, Dan would write a figure on a pad of paper and slide it to Ruggieri, allowing him to raise the bid. .

With Dan's ever increasing assistance, Ruggieri's bid reached an astounding \$500,000. When the employee countered with another \$5,000 increase, Ruggieri was forced to stop bidding -- there simply wasn't any more money.

It had been an extraordinary event. The outcome, while emotionally disappointing, did have a positive side in that the half-million dollars it had cost the former employee to win the auction would be added to the pool of assets that would eventually benefit Brandon and other victims.

Outside the courthouse a dozen reporters swarmed around, some attempting to get comments from Jennings and Bryco's new owner as the two men moved quickly away. The reporters and cameras focused on Dan as Ruggieri stepped aside to call Brandon and Sue, and a documentary crew captured him explaining to his young client that while they had lost the auction, they had made a major financial impact on the bankruptcy. They could now move forward into the next phase of the proceedings.

Even as Brandon and his family returned home that afternoon, another campaign was beginning.

Within weeks, Brandon's Arms embarked upon a direct mail and Web-based information campaign to inform gun dealers across the nation about the former Bryco employee's newly-formed company, called Jimenez Arms, and about its guns. As the company reopened the California facility and resumed operations, the Brandon's Arms campaign made clear that while the name had changed, and the new company's name was now stamped on the guns, the origins of the design and manufacture were decidedly Bryco.

Within the first month that Jimenez Arms distributed its new guns, several unlucky customers posted comments online describing problems with the guns, including pieces falling off guns as they fired.

Soon thereafter, and as reported by a handful of newspapers, Jimenez was shut down by the State of California. California requires any new handgun manufactured in the state to pass several tests. If a gun fails, it cannot be manufactured until and unless the manufacturer corrects the problem and resubmits to testing. Jimenez Arms had started manufacture after submitting test results with passing scores. When the California Department of Justice ordered independent testing, the guns failed. Rather than correct the problems, Jimenez Arms simply moved its operations to Nevada, which had no such testing requirements.

Brandon had won the lawsuit, put Bryco out of business, lost the auction, and then, through its ongoing efforts to keep a spotlight on Jimenez Arms and Bruce Jennings, was in large part responsible for curtailing a dangerous gun business.

Still, for every up there is a down. The small gain for the safety of people in California was a giant loss for Nevada, where Jimenez Arms continues to manufacture guns. In essence, the legacy of dangerous, poorly made

handguns persists not only in Jimenez Arms products, but in the millions of Brycos that still exist throughout the country.

In another recent ironic twist to the Brandon Maxfield and Bryco story, there is now growing evidence, based on documented accidental firings of Brycos, that the family friend's insistence on the gun just going off may have merit.

It has happened as recently as two years ago, in a manner that is undisputed and unsettling.

In 2009 a Florida man and his wife were at a firing range, shooting several weapons they owned, including a Bryco handgun. It had been given to the man by his stepson, who had bought it from a friend.

The Florida man had just fired it and placed it on its side, barrel pointing down range, on the table in front of him. Moments later the Bryco fired on its own, repeatedly, spinning as it emptied its entire magazine. The man and his wife were wounded, as was another man at the range.

This was not an isolated incident.

Within the last few years, several people, including a law enforcement officer, have been wounded by Brycos that have fired on their own, and an East Coast attorney has video footage of a Bryco during a test by a gun expert, in which the untouched Bryco goes fully automatic, firing nine rounds in less than one second.

These Brycos may be the most dangerous guns in the country, but they are not the only guns capable of misfires. Over the last few years there have been incidents of guns in backpacks firing when dropped to the floor, and a quick visit to Internet gun-user forums will show that while unintentional discharges may not be common, they are also not unheard of.

In the seven years since that morning in Ruggieri's office, debates about guns, gun rights and gun control have certainly not abated nor diminished, and the positions taken by one side or the other still remain the same, except for a recent, troubling addition: the open carry movement.

More often than not during my career as a writer I have learned to understand and shift my perspectives based on the research and interviews I do for stories. I've come to understand many diverse perspectives on a wide range of subjects. For example, I accept that over-regulation can hinder or choke off business, but I also know that certain industries shouldn't be allowed to regulate themselves. I accept the principle of don't spend more than you have, but also believe that tax cuts deprive the country of needed revenue.

I accept that the United States allows its citizens to own guns, but believe clinging to a position that guns shouldn't be held to the same regulatory and safety standards as a sports car or chain saw, because a gun is 'different', is wrong.

I am more than familiar with guns. My father had guns, I spent three-and-a-half years as a paratrooper, and I'm a decent skeet and clay shooter. I've shot everything from a snub-nose, to a fifty-caliber machine gun, to a 152mm tank round. But, between life experiences and my work on the Brandon Maxfield story, I learned to understand that guns are certainly different, just not the kind of different as perceived by many gun advocates.

The open carry movement focuses on the rights of anyone not only to own a weapon, but to carry it in public, as a self-defense measure (obviously, not to hunt or use in target practice on a city street). Open carry proponents point to the safety of an open carry environment because the law requires the guns to be unloaded.

But guns are different, in that every gun has a potential destructiveness to innocent bystanders that is unmatched by any other product available to the general public.

Knock over your coffee cup in Starbucks because you're talking on your cell phone, or knock over someone else's coffee with your new messenger bag and the worst that might happen is that it might stain someone's clothes or ruin someone's book.

A gun misfire in Starbucks, a forgotten round in a chamber of a gun that goes off when bumped or dropped, and the potential consequences within and well beyond the confines of the store are too grim to envision.

The Brandon Maxfield story exposed elements of society and culture that reinforced for me why, throughout history, reactionary rhetoric, sloganeering, and blind allegiance to extreme beliefs have been shown to be dangerous. Guns are woven into the fabric of our country. Responsible hunters, gun enthusiasts, law enforcement professionals, and dedicated hobbyists understand the life-altering power of a gun, and understand that in a gun environment the safety of others is as paramount as the safety of a user.

The last decade has shown that our society is capable of coming together and finding balance, with a few percentage points for one side's favor over another more the norm than not. When a wave of discontent washes over society – "Throw the bums out!" – things eventually still settle to an acceptable calmness. Overall, we are a fair and just society.

Seven years ago I observed some of the best and the worst examples of society's reaction to an important issue that still resonates today, and still deserves a balanced, common sense solution, yet it still is often trumped by unfounded fear and irrational thinking.

Seven years later, I still believe reason and balance will always succeed, but I have come to believe that such

reasonableness, when sought within a hyperbolic, extreme environment, will always require the extraordinary efforts of ordinary people.

I learned that seven years ago from an attorney and his teenage client, and I consider myself very lucky to have had that opportunity. I'm going to do what I can to insure their example does not disappear with time.

To Date...

Over 22,000 readers accessed the original post before the end of August 2011. *Move To Fire*, my in-depth book about the Richard and Brandon story, was released in 2015. A starred review in *Publishers Weekly* described it as "a taut legal drama reminiscent of Jonathan Harr's *A Civil Action*..."

Remarkably, the story continued for several years after the book's release. Several individuals from Bryco/Jennings who were involved in creating a new company after the bankruptcy auction became defendants in a lawsuit strikingly similar to Brandon's, brought by the family of a woman killed by a faulty handgun. That later part of the story will be included in an updated *Move To Fire* edition to be released in late 2024 or early 2025.

MWH
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